IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION APPLICATION NO. 40 OF 2005

M/s. G.H. Khatri and Co. .. Applicant

Vs.

Navi Mumbai Municipal Corporation .. Respondents

Mr. Suresh Kumar with Mr. U.S. Samudrala for applicant.
Mr. A.A. Garge for Respondents.

CORAM : B. H. MARLAPALLE,J.
Date : February 17, 2006.

P.C.:

1. Heard Mr. Suresh Kumar, the learned counsel for the applicant. The respondent-Corporation has filed an affidavit in reply and has referred to the heading of the Clause 30 i.e. Direction and Control of City Engineer. It is clear that the said clause is binding between the parties and the disputes raised by the applicant are required to be resolved by following the procedure set out in Clause 30 of the General Conditions of Contract.

2. Applicant shall, therefore, approach the Corporation if there are any demands and if the respondents are satisfied that they are required to be subjected to the procedure under Clause 30, the same shall be followed.

3. The application, therefore, is disposed off accordingly.

(B.H. Marlapalle, J.)